

Court Exhibit 4
6/13/2012VERDICT FORM

THE JURY'S VERDICT MUST BE UNANIMOUS.

I. Overtime and Spread of Hours Claims

1. Did plaintiff establish by a preponderance of the evidence that she is entitled to overtime compensation from defendants under the Fair Labor Standards Act and New York labor law?

 Yes No

USDC SDNY
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DOC #:
DATE FILED: JUL 13 2012

[If you answered "Yes" to Question 1, proceed to Question 1.a.; otherwise, proceed to Question 2.]

- a. In what amount did plaintiff establish she is entitled to overtime compensation? \$ 3200.00
- b. Did plaintiff establish by a preponderance of the evidence that defendants willfully violated the Fair Labor Standards Act and New York labor law with respect to overtime pay?

 Yes No

2. Did plaintiff establish by a preponderance of the evidence that she is entitled to "spread of hours" compensation from defendants under New York labor law?

 Yes No

[If you answered "Yes" to Question 2, proceed to Question 2.a.; otherwise, proceed to Question 3.]

- a. In what amount did plaintiff establish she is entitled to "spread of hours" compensation?
\$ 1620.00

b. Did plaintiff establish by a preponderance of the evidence that defendants willfully violated the New York labor laws with respect to "spread of hours" pay?

 Yes

✓ No

II. Contract/Quantum Meruit Claims

3. Did plaintiff establish by a preponderance of the evidence that defendants breached a contract with her covering the period from September 7, 2005 to approximately June 2006?

 Yes

✓ No

[If you answered "Yes" to Question 3, proceed to Questions 3.a.; otherwise, proceed to Question 4.]

a. In what amount did plaintiff establish she is entitled for her breach of contract claim?
\$

4. Did plaintiff establish by a preponderance of the evidence that she is entitled to compensation from defendants under her quantum meruit claim?

[If you answered "Yes" to Question 3, you must answer "No" to this question.]

 Yes

✓ No

[If you answered "Yes" to Question 4, proceed to Questions 4.a.; otherwise, proceed to Question 5.]

a. In what amount did plaintiff establish she is entitled for her quantum meruit claim?

\$ _____

III. Tort Claims

5. Did plaintiff establish by a preponderance of the evidence that defendant Mazer committed **assault** against her?

✓ Yes

_____ No

6. Did plaintiff establish by a preponderance of the evidence that defendant Mazer committed **battery** against her?

_____ Yes

✓ No

7. Did plaintiff establish by a preponderance of the evidence that defendant Mazer committed **intentional infliction of emotional distress** against her?

_____ Yes

✓ No

[If you answered "Yes" to Question(s) 5, 6 and/or 7, proceed to Question 8; otherwise, proceed to Question 10.]

8. Did plaintiff establish by a preponderance of the evidence that she is entitled to **compensatory damages** for one or more of her tort claims?

Yes

_____ No and the amount of nominal damages awarded to plaintiff is \$ _____
[must not exceed \$1]

[If you answered "Yes" to Question 8, proceed to Question 8.a.; otherwise, proceed to Question 9.]

- a. In what amount did plaintiff establish compensatory damages for one or more of her tort claims? \$ 5000.00

9. Did plaintiff establish by a preponderance of the evidence that she is entitled to **punitive damages** for one or more of her tort claims?

_____ Yes

No

[If you answered "Yes" to Question 9, proceed to Question 9.a.; otherwise, proceed to Question 10.]

- a. In what amount did plaintiff establish she is entitled to punitive damages for one or more of her tort claims? \$ _____

10. Did defendant Mazer establish by a preponderance of the evidence that plaintiff committed **assault** against him?

Yes

_____ No

11. Did defendant Mazer establish by a preponderance of the evidence that plaintiff committed **battery** against him?

Yes

No

[If you answered "Yes" to Question(s) 10 and/or 11, proceed to Question 12; otherwise, proceed to the date and signature lines.]

12. Did defendant Mazer establish by a preponderance of the evidence that he is entitled to **compensatory damages** for one or both of his tort claims?

Yes

No and the amount of nominal damages awarded to plaintiff is \$ 0
[must not exceed \$1]

[If you answered "Yes" to Question 12, proceed to Question 12.a.; otherwise, proceed to Question 13.]

- a. In what amount did defendant Mazer establish compensatory damages for one or both of his tort claims? \$ _____

13. Did defendant Mazer establish by a preponderance of the evidence that he is entitled to **punitive damages** for one or both of his tort claims?

 Yes

✓ No

[If you answered "Yes" to Question 13, proceed to Question 13.a.; otherwise, proceed to the date and signature lines.]

a. In what amount did defendant Mazer establish punitive damages for one or both of his tort claims? \$

June 13, 2013

Date

Karen Dubno

Signature of Foreperson

Karen Dubno

Print name